

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CONTINENTAL D.I.A. DIAMOND
PRODUCTS, INC.,

Plaintiff / Counter-defendant

v.

DONG YOUNG DIAMOND INDUSTRIAL
CO., LTD., DONGSOO LEE, and DOES 1-10,
inclusive,

Defendants / Counter-claimants

No. C 08-02136 SI

**ORDER GRANTING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY
RESPONSES**

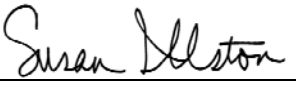
On June 23, 2009, plaintiff Continental D.I.A. Diamond Products, Inc. filed a letter brief seeking the Court's intervention in a discovery dispute. Plaintiff contends that defendants have either failed to respond or have provided incomplete responses to plaintiff's first set of interrogatories and second request for production. Plaintiff propounded these requests on April 16, 2009 and now seeks an order compelling defendants to comply with their discovery obligations. Defendants have not filed an opposition to plaintiff's motion.

Plaintiff's discovery requests seek basic information about the parties' claims and counterclaims. In light of defendants' failure to oppose plaintiff's motion, the Court sees no reason why the motion should not be granted. It is especially important for defendants to provide this information promptly as fact discovery is set to close on September 28, 2009. *See* Docket No. 99. Accordingly, the Court orders defendants to provide complete responses to plaintiff's first set of interrogatories and to produce documents responsive to plaintiff's second request for documents by **July 24, 2009**. Failure to comply with this deadline will cause the Court to consider whether sanctions are warranted under Federal Rule

1 of Civil Procedure 37(b).

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3 **IT IS SO ORDERED.**

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5 Dated: July 17, 2009



SUSAN ILLSTON
United States District Judge